



TOWN OF

K E N S I N G T O N

MARCH 2002
JOURNAL

March 25, 7:30 p.m. Town Meeting Agenda

Adopt Charter Amendments
Approve Board of Election Appointments

Meeting Schedule

April 8, 7:00 p.m. Work Session
April 29, 7:30 p.m. Town Meeting

PLEASE REMEMBER

To obtain HPC permission prior to removing trees from your property if you live in the historic district.

Skateboarding is not permitted on Town property.
Taxpayer's money is being used for repairs due to damage from skateboarding.

Contact us at 3710 Mitchell Street, Kensington, MD 20895
Phone: 301-949-2424; Fax: 301-949-4925;
E-mail: mayor.council@tok.org; Web Site: www.tok.org

MARYLAND TAX RETURN 2001

FORM 502 RESIDENT

One of the major sources of revenue which the Town receives each year is the Town's share of income taxes which each resident pays to the State of Maryland. Remember to write the Town of Kensington in the box marked city, town, or taxing area. This will insure that a portion of your tax dollars will return to the Town.

e-Announcements

If you would like to receive brief e-mail updates regarding Town business please sign up for e-Announcements on the home page of the Town's web site (www.tok.org)

Volunteers Needed

If you are interested in working on the Memorial Day rededication of Ernest Memorial Park, please contact the Town office.

The Town is in search of a few arts and crafts fans to assist Andie Murtha in her organization of the 2nd Annual Kensington Arts and Crafts Fair. This year's Fair will again be held on Labor Day in connection with the Town's Labor Day Parade and Festival. Andie needs help especially with publicity, logistics, set up and clean up. If you are interested in helping, please call her at 301-929-0501.

The Kensington Labor Day Parade organizers are in search of entertaining and fun musical groups who might be interested in performing in this year's Parade. If you are in such a group or you know someone who is, please call Jenny Smith at 301-946-3804.

Upcoming Events

- April 27th - Earth/Arbor Day Celebration
- May 27th - Ernest Memorial Park Rededication
- June 3rd - Town Elections

Building Permits

- Reconfiguration and alteration of side entrance at 10408 Montgomery Avenue
- Equipment shelter on roof at 3720 Farragut Avenue
- Screened rear porch/open porch addition at 10405 Fawcett Street
- Replace garage door with window at 10110 Kensington Parkway

Town Building Permits Required

A reminder that when you build an addition to your home or business, add a shed, install a fence, or perform any other work that requires a County Building Permit, you also need a Town permit. Questions? Call the Town Office.

Mayor's Report

Howard Avenue

The Mayor held a Revitalization Committee meeting to discuss hanging baskets to be installed on the light poles on Howard Avenue. The baskets will be installed in May.

Ernest War Memorial

The Memorial is complete and looks grand. We can look forward to a celebration in May to rededicate our war memorial. Let us know if you could give a little time to help with the planning of this event.

Community Center and Town Hall Renovation

During this fiscal year the Mayor has dedicated much time to finding funding for the continued renovation of the building.

The Mayor has written letters and testimony and appeared before the Montgomery County Council to testify on behalf of the Town to request funding for building renovations to the Community Center Town Hall.

The Mayor has written and given testimony in Annapolis before the Senate and House of Delegates for the same purpose. As of this report she has secured \$100,000 from Montgomery County Recreation Budget, and \$80,000 from CDBG funds to make our bathrooms on the second floor ADA compatible. We have approval of \$125,000 from the State to be used for window restoration. We also have secured \$150,000 from the State to be used toward life safety code improvements. This totals \$455,000 this year to help us achieve the Community Center we all look forward to having in our Town. The building is being used by many organizations on a regular basis. Currently the building is used for:

- Dance classes for children
- Math classes for children
- Pilates and yoga classes for adults
- Home for the Kensington Historical Society Meetings and archives
- Substation for Montgomery County Police
- Indoor yard sales
- Various Town events
- The Kensington Historical Society hosts free concerts throughout the year.
- The Kensington Area Theater holds theatrical productions
- One day or weekend rentals throughout the year

Meetings and Events Attended by the Mayor

- Gave testimony twice in Annapolis for funding for the Community Center
- Attended a community forum hosted by Montgomery County Executive Doug Duncan on Emergency Preparedness
- Attended the annual Mayors Conference in Annapolis
- Talked to the fourth grade at Kensington Parkwood Elementary about the responsibility of a Mayor
- Attended a ground breaking ceremony at Takoma Park for their new Community Center
- Attended the semiannual Governor's Intergovernment Council meeting in Annapolis. As part of an MML delegation, we joined Maryland Association of Counties and met with Acting Governor Townsend to discuss issues of local government interest, homeland security and its impact on local government, and the importance of local governments working together with federal and state to meet the needs of our citizens.

Thank you to Montgomery County Executive Doug Duncan and the County Council for financial support of our Community Center.

Thank you to State Senator Chris Van Hollen and Delegate Sharon Grosfeld for their support in obtaining State funding for our Community Center.

Council Member Bruch's Report

At the request of a resident, I sent a letter to the State Highway Administration requesting that they consider lowering the speed limit on University Blvd. between Connecticut and Lexington from 40 MPH to 30 MPH which is consistent with the balance of the commercial area. There is substantial pedestrian and vehicular cross-traffic on University at Perry in the vicinity of the shopping center.

I testified before the County Council on February 6th in support of supplemental funding to get the elementary school modernization schedule back on track county-wide. The budget as currently proposed takes us back to pre-1988 modernization levels.

The cement plant on Metropolitan Avenue appears to have finally closed! Accomplishments of this size do not happen overnight. They typically span multiple administrations and require maintenance effort by all to keep them on track. Efforts to close the plant began over five years ago when the Town initiated a zoning text amendment sponsored by County Council Member Berlage to close the cement plant due to its long-standing non-conforming use. In 1997 the Planning Board and 1998 the

County Council both voted unanimously to close the plant in 2002. If you see County Council Member Berlage or former Town Council Members Dedes and Ritzmann thank them for what they did five years ago. This administration is making progress on what lies ahead for the property including alternative uses so we don't spend the next five years looking at rusting metal.

Council Member Cowan's Report

Should the Town of Kensington's traffic regulations be the result of popular democracy or be determined by traffic engineering standards? In practice, the answer is both.

At least once a week I receive requests to consider changes in an existing traffic regulation: reduce the speed limit, prevent access during rush hour, add a stop sign, place a new speed bump, prevent left turns. The Mayor and other Council members are likewise petitioned.

We discuss virtually every citizen request brought to us. In many cases the requested regulation requires state or county action but we still need to consider these in the context of an overall traffic scheme. If action appears warranted, these requests can become the subject of formal hearings prior to enactment.

Our goal is always to strive for a traffic system that is both safe and efficient but seldom is this as simple as it may appear. Suggestions which seem to have general support can be found to be quite controversial or even dysfunctional when discussed with the wider public. Sometimes we are asked to reverse an action as it becomes apparent (at least to some) that the intended outcome was not realized.

None of us are trained traffic engineers and Kensington cannot afford to retain a consulting traffic planner every time we consider a new regulation. Instead we apply local knowledge, common sense and our individual experience to guide our judgments. We rely heavily on citizens to help inform these debates. Still, not everyone gets what they want. It is the nature of democracy that the loudest voices are sometimes muted by the facts and what appears to be factual can be compromised in response to citizens' requests.

There never will be one complete "answer" to our town's traffic concerns. Nevertheless we will keep trying new approaches. As we do, both the science of traffic engineering and the voices of our citizens will continue to play crucial roles.

Council Member Scharman's Report

HOC Facility - I took an informal tour of the HOC facility, both indoors and outdoors, and spoke with the facility manager and Town residents concerning current issues and potential uses of the facility. Since taking office last summer, I had learned about some

concerns regarding the property and that there had been some ideas about other uses. I was at the meeting with County Councilman Steve Silverman held at HOC last November to discuss uses and had also visited the building several years ago when I was studying the maintenance of current and former school buildings, but had not seen the gymnasium in its current use or walked completely around the property. Since the Town government had been asked to develop opinions on appropriate uses of the property, I felt it was necessary that I gain a thorough view of the recreational spaces at the facility and walk through the entire property to understand current and potential issues about the site, such as parking, access, traffic, security, and noise.

Parks - I contacted the contractor who has installed some of the playground equipment in Town parks and he agreed to inspect the new equipment in Reinhardt and St. Paul Parks. We also discussed other potential improvements to the parks and he will provide recommendations on improvements.

We appreciate the efforts of residents who responded to the Parks Survey last fall. That information is being used to guide maintenance in the parks and will be helpful in planning for renovations and improvements.

The demand for field space has been increasing at St. Paul Park and it appears there is a need to evaluate the permitting policy. I am currently researching policies regarding use of similar fields in the County and am seeking input from town residents who coach teams and reserve fields.

Tree Inventory - I have been working with Louise Hamilton in an effort to more efficiently manage our valuable Town tree resources. A tree inventory is planned when the trees are in bloom/leaf. We are investigating software to store and manage the data; this was a major topic of conversation at our Tree Board meeting on March 8 and our State Forester is assisting us in this effort. Please see the minutes of our Tree Board Meeting in this Journal.

Tree Board Meeting

March 8, 2002, 9:30 a.m.

Present at the Meeting: John Anderson, Ann Elsbree, Louise Hamilton, Sabooh Hikim (State Forest Ranger), Mark Joel, Barbara Scharman

Spring tree plantings (species, location) were discussed. The possibility of State water restrictions exists but we are hopeful the spring planting will go forward, as we were unable to plant last fall because of the severe drought conditions. The State Forester indicated that due to recent rains, the soil conditions are acceptable for planting and unless watering prohibitions are declared, spring rains and watering when needed should insure tree survival.

The Tree Board is responsible for recommending appropriate trees for the Town streets and parks and working with adjacent property owners so the selected trees will provide the greatest benefits with the least problems. Therefore, we continue to discuss lists of

recommended street trees. Desired trees for urban environments continues to change as different species of trees are grown in these environments and more information is collected on their survival, growth, and maintenance. Mr. Hikim will provide us with some new information on appropriate trees for "wire" and "non-wire" sides of the streets. The Board also reviewed information recently provided by the State Highway Administration on the tree plantings for the Metropolitan Avenue Revitalization Project. The information they have provided indicates that more varieties of trees, than was evident during their presentation at the January Town Meeting, will be planted along Metropolitan. Offspring from historic trees were discussed as potential plantings in Town parks.

A Town Tree Survey will be conducted in the spring. The Board discussed types of data to be collected. The inventory data will be used to more efficiently manage the Town's tree resources. We discussed possible sources and types of tree inventory software to manage the data to facilitate tracking of care, maintenance, and plantings. Mr. Hikim provided us with a possible grant source for software.

We discussed possible activities for our Earth/Arbor Day celebration to be held at the end of April.

The meeting adjourned at 11:45 a.m.

Town Meeting

February 25, 2002

Mayor Raufaste called the Meeting to order at 7:40 p.m. with Council Members Bruch, Cowan, Pfautz, Scharman, Director of Public Works Joel, and Clerk-Treasurer Engels present. The Pledge of Allegiance was recited. Condolences were expressed for Tucker Schruben and Marcella Gillespie who recently passed away. A Moment of Silence was observed.

The Council discussed recommendations for HOC uses to be made to the County Council. Council Member Bruch presented three alternative uses for the HOC property and the conditions under which the Town would support them. The three alternative uses presented were a community recreation center, re-opening the gym only, and re-opening the gym plus adjacent space for limited community use. The uses and conditions proposed were based on information from the public hearing in January and from other neighborhood and community concerns. The Council discussed how to present and prioritize the uses and conditions to the County Council and will draft a letter to be discussed at the work session. The Council also discussed the need to work with HOC and the County on resolving the more immediate issues: changing the location of the drop box, more muted lighting, adding more sidewalk around the building, and policing the area.

Council Member Pfautz introduced the proposed Charter amendments. (Sections: 403, 405, 702, 707, 714, 904, 910)

The Mayor, Council and Director of Public Works presented monthly reports.

The Mayor reminded residents in the historic district to obtain HPC permission prior to removing trees from their property.

Residents discussed the possibility of allowing non-US citizens to vote in Town elections. The Mayor stated that another resident is researching this issue.

Residents expressed concerns over the HPC HAWP application forms. The Mayor and Council will look at the forms and will address at the next work session if necessary.

Residents expressed concerns over vandalism and safety at the train station once the station is unattended. The Mayor stated she will contact MARC regarding these concerns and that she is also waiting for information from another citizen concerned about this.

Council Actions

Council Member Bruch moved to adopt the three alternative uses for the HOC property with conditions outlined in the 2/25/02 draft with the following revisions added: hours of operation similar to the Leland Center for the community center use, a condition that the use reverts to a community center if HOC vacates and the current use is as a gym, and the uses can be prioritized in the letter to be discussed at the work session. It was seconded by Council Member Cowan and passed unanimously with the Mayor concurring.

Council Member Pfautz moved to approve the minutes of the January 28, 2002 Town Meeting and the February 4, 2002 Work Session as circulated. It was seconded by Council Member Scharman and passed unanimously.

Council Member Pfautz moved to adopt the historic property notification bill, Montgomery County Code, Chapter 40, Real Property, Section 40-12A. It was seconded by Council Member Scharman and passed unanimously with the Mayor concurring.

Council Member Cowan moved to correct all misdemeanors listed in the code to municipal infractions. It was seconded by Council Member Pfautz and passed unanimously with the Mayor concurring.

There being no further business, the meeting adjourned at 10:00 p.m.

Work Session of Mayor & Council

March 4, 2002

The work session commenced at 7:05 p.m., Mayor Raufaste, Council Members Bruch, Cowan, Pfautz and Scharman, Public Works Director Joel, Code Enforcement Officer Hamilton, and Clerk-Treasurer Engels were present and the following issues were addressed:

Al Carr requested modification of the sidewalk motion made at the February 4, 2002 work session. The Council decided to wait until Chevy Chase View discusses the matter at their March meeting.

Craig Pettinati from Sandy Spring Theatre discussed the group's division and name change to include "Kensington" in their new name. He also asked about the availability of stage left storage space, accessing space under the stage, and commitment from the Town for the new entity after it divides. The Council will review the old contract to determine what needs to be modified for the contract with the new entity.

Nate and Allison Oppenheim presented their plan for the flowerbed around the memorial at Ernest Park. They plan to purchase the plants and have them planted, edged and mulched by the Memorial Day dedication and will continue to keep them weeded and watered for one year.

Barry Peoples presented the Audit Committee's report for the fiscal year ending June 30, 2001 and discussed their recommendations. The Council will review their comments and recommendations and report back to the audit committee.

The draft letter addressing the Town's position on alternative uses and conditions for the HOC facility was reviewed and approved to be sent to County Council President Steve Silverman.

The project list was reviewed and updated.

The code enforcement action list was reviewed.

Monthly correspondence was reviewed.

The minutes from the February 25 Town Meeting were reviewed.

The Mayor informed the Council that in response to concerns over the train station automation she contacted MARC and received information from them explaining the automation. A ticketing machine is being installed and the station building waiting room will continue to be open during train service hours each morning. According to MARC, the automation is taking place to provide more cost-effective service.

Code Enforcement Officer Hamilton will draft a schedule of suggested fees for municipal infractions for the Council's review.

Code Enforcement Officer Hamilton reported that the Town's gardener is available to inventory the Town trees for species, location and condition.

The lack of availability of field space at St. Paul Park was discussed. The Council will obtain input and recommendations from some of the coaches on how scheduling should be done.

The summer meeting schedule was set to include only one monthly meeting (work session) at 7:00 p.m. on June 4, July 1, and August 5.

The Mayor and Council discussed the web site calendar and decided to include all armory events and uses on the calendar. Similar information will also be reported in the Town Journal.

There being no further business, the meeting adjourned at 10:15 p.m.

The Town of Kensington expresses its deepest condolences to the family and friends of Marcella Gillespie and Tucker Schruben.
